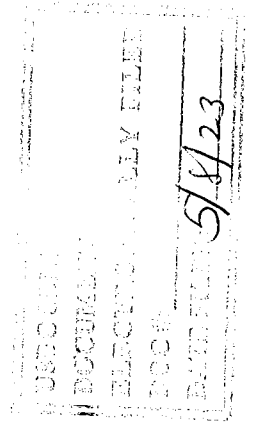


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK-----X
EDWIN MALDONADO,
Plaintiff,

v.

OFFICER JOHN GUNSETT, et al.,
Defendants.
-----X**ORDER**

21 CV 3719 (VB)



Plaintiff, proceeding pro se and in forma pauperis, brings claims under 42 U.S.C. § 1983 for violations of his constitutional rights.

On July 1, 2022, the Court docketed the third amended complaint, dated June 17, 2022. (Doc. #56). The Court also entered an amended order of service directing the U.S. Marshals Service to effect service of the third amended complaint. (Doc. #57). The Court subsequently extended plaintiff's deadline to serve defendants, to May 10, 2023, and extended defendants' deadline to respond to the third amended complaint, to May 31, 2023. (Doc. #96).

To date, two defendants named in the third amended complaint, Kevin O'Connor and Anthony C. Russo, have not yet been served. However, the Court has been informed that the Marshals Service is in the process of effecting service.

Accordingly, it is HEREBY ORDERED:

1. Plaintiff's deadline pursuant to Fed. R. Civ. P. 4(m) to serve defendants O'Connor and Russo is sua sponte extended to June 9, 2023. If the U.S. Marshals Service has not served defendants by the Court-ordered deadline, plaintiff should request an extension of time for service. See Meilleur v. Strong, 682 F.3d 56, 63 (2d Cir. 2012) (holding that it is the plaintiff's responsibility to request an extension of time for service).
2. The time for all defendants to answer, move or otherwise respond to the third amended complaint is sua sponte extended to June 30, 2023.

The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this Order would not be taken in good faith, and therefore in forma pauperis status is denied for the purposes of an appeal. Cf. Coppedge v. United States, 369 U.S. 438, 444–45 (1962).

Chambers will mail a copy of this Order to plaintiff at the address on the docket.

Dated: May 8, 2023
White Plains, NY

SO ORDERED:

A handwritten signature in black ink, appearing to read "Vincent Briccetti", written over a horizontal line.

Vincent L. Briccetti
United States District Judge